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9 Attorneys for Defendant/Counterclaimant/Cross-Complainant,
10 Arrowood Indemnity Company (f/k/a Royal Indemnity Company
11 as successor-in-interest to Royal Insurance Company of America)

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

AIU INSURANCE COMPANY, a New York
corporation,

Plaintiff

v.

ACCEPTANCE INSURANCE COMPANY, a
Delaware corporation, TIG SPECIALTY
INSURANCE COMPANY, a California
corporation, ARROWOOD INDEMNITY
COMPANY (f/k/a ROYAL INDEMNITY
COMPANY AS SUCCESSOR-IN-INTEREST
TO ROYAL INSURANCE COMPANY OF
AMERICA) a Delaware corporation,
AMERICAN SAFETY RISK RETENTION
GROUP, INC., a Vermont corporation,
AMERICAN SAFETY INDEMNITY
COMPANY, a Oklahoma corporation, and
DOES 1 through 10, inclusive,

Defendants.

Case No.: C 07 5491 PJH

Assigned for All Purposes to:
Judge Phyllis J. Hamilton
Courtroom 3, 3rd Floor

**[PROPOSED] ORDER RE DISMISSAL,
WITHOUT PREJUDICE, OF AMERICAN
SAFETY RISK RETENTION GROUP,
INC. AND AMERICAN SAFETY
INDEMNITY COMPANY FROM
ARROWOOD INDEMNITY COMPANY'S
CROSS-CLAIMS**

[F.R.C.P. Rules 41(a) and 60(b)]

[Filed concurrently with Stipulation of
Dismissal, without Prejudice]

Complaint Filed: October 29, 2007
Trial Date: None Set

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[PROPOSED] ORDER

Having fully considered the Stipulation of Dismissal, without Prejudice, between Defendants/Cross-Defendants American Safety Risk Retention Group, Inc. and American Safety Indemnity Company ("American Safety") and Defendant/Counterclaimant/Cross-Complainant Arrowood Indemnity Company (f/k/a Royal Indemnity Company as successor-in-interest to Royal Insurance Company of America) ("Arrowood"), and pursuant to Rules 41(a) and 60(b) of the Federal Rules of Civil Procedure, IT IS HEREBY ORDERED that:

1. The Stipulation dismissing, with prejudice, Arrowood's cross-claims in the above-captioned matter against American Safety is VACATED [Docket No. 147];

2. The Order dismissing, with prejudice, Arrowood's cross-claims in the above-captioned matter against American Safety is VACATED [Docket No. 148]; and

3. Arrowood's cross-claims against American Safety are dismissed in the above-captioned action, without prejudice, without American Safety and Arrowood waiving costs, and without American Safety waiving as to Arrowood any past, present or future liability or obligations, including all claims for equitable relief, under the commercial general liability policies Arrowood issued to Rylock Company, Ltd., which policies include, but are not limited to: (1) policy no. PTY441053 effective March 1, 1996 to March 1, 1997; (2) policy no. PTS443208 effective March 1, 1997 to March 1, 1998; (3) policy no. PTR457882 effective March 1, 1998 to March 1, 1999; and (4) policy no. PTR-457882009 effective March 1, 1999 to March 1, 2000.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 27, 2011

OC#31112

